

Approved: \_\_\_\_\_ Mayor

Veto: \_\_\_\_\_

Override: \_\_\_\_\_

### RESOLUTION NO. Z-41-06

WHEREAS, NORMA STRYDIO AND NOELI SANCHEZ applied to Community

Zoning Appeals Board 10 for the following:

- (1) RU-1 to RU-5A
- (2) Applicant is requesting to permit an office-building setback 24'6" (25' required) from the front (south) property line.
- (3) Applicant is requesting to permit the office-building setback 13'5" from the interior side (west) property line and setback 13'8" from the interior side (east) property line (15' required for each).
- (4) Applicant is requesting to permit two one-way drives; each 10' wide (14' wide required).
- (5) Applicant is requesting to permit a minimum 1' wide landscape buffer (5' wide required) between dissimilar land uses along portions of the east and west property lines.
- (6) Applicant is requesting to waive the zoning regulations requiring Coral Way (S.W. 24<sup>th</sup> Street) to be 100' in width; to permit 35' of dedication (50' required) for the north ½ of Coral Way.

Upon demonstration that the applicable standards have been satisfied, approval of requests #2 - #3 may be considered under §33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Zoning District) and approval of requests #2 - #6 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Ms. Noeli Sanchez," as prepared by Rodriguez-Pereira, Architect, dated last revised 5/23/06 and consisting of 5 sheets.

SUBJECT PROPERTY: The west ½ of Lot 18 and all of Lot 19, less the south 10' thereof of TAMAMI ACRES PLAN 2, Plat book 5, Page 74.

LOCATION: 6435 S.W. 24 Street (Coral Way), Miami-Dade County, Florida, and

WHEREAS, a public hearing of Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 10 that that the request for a district boundary change to RU-5A (Item #1), would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requests to permit an office-building setback 24'6" from the front (south) property line (Item #2), to permit the office-building setback 13'5" from the interior side (west) property line and setback 13'8" from the interior side (east) property line (Item #3), to permit two one-way drives; each 10' wide (Item #4), to permit a minimum 1' wide landscape buffer between dissimilar land uses along portions of the east and west property lines (Item #5) and to waive the zoning regulations requiring Coral Way (S.W. 24<sup>th</sup> Street) to be 100' in width; to permit 35' of dedication for the north ½ of Coral Way (Item #6) and said application was denied by Resolution No. CZAB10-48-06, and

WHEREAS, **NORMA STRYDIO AND NOELI SANCHEZ** appealed the decision of Community Zoning Appeals Board 10 to the Board of County Commissioners for the following:

- (1) RU-1 to RU-5A
- (2) Applicant is requesting to permit an office-building setback 24'6" (25' required) from the front (south) property line.
- (3) Applicant is requesting to permit the office-building setback 13'5" from the interior side (west) property line and setback 13'8" from the interior side (east) property line (15' required for each).
- (4) Applicant is requesting to permit two one-way drives; each 10' wide (14' wide required).

- (5) Applicant is requesting to permit a minimum 1' wide landscape buffer (5' wide required) between dissimilar land uses along portions of the east and west property lines.
- (6) Applicant is requesting to waive the zoning regulations requiring Coral Way (S.W. 24<sup>th</sup> Street) to be 100' in width; to permit 35' of dedication (50' required) for the north ½ of Coral Way.

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #3 may be considered under §33-311(A)(20) (Alternative Site Development Option for Semi-Professional Office Zoning District) and approval of requests #2 - #6 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Ms. Noeli Sanchez," as prepared by Rodriguez-Pereira, Architect, dated last revised 5/23/06 and consisting of 5 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: The west ½ of Lot 18 and all of Lot 19, less the south 10' thereof of TAMIAMI ACRES PLAN 2, Plat book 5, Page 74.

LOCATION: 6435 S.W. 24 Street (Coral Way), Miami-Dade County, Florida

*WHEREAS*, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant had requested a waiver of the refiling period, and

*WHEREAS*, after reviewing the record and decision of the Metropolitan Dade County Zoning Appeals Board 10 and after having given an opportunity for interested parties to be heard, it was the opinion of the Board of County Commissioners, Miami-Dade County, Florida, that that the grounds and reasons alleged by the appellants specified in the appeal were insufficient to merit a reversal of the ruling made by the Zoning Appeals Board in Resolution No. 10 and that the appeal should be denied and the decision of Community Zoning Appeals Board 10 should be sustained, and that the request to waive the refiling period shall be granted on a modified basis to re-file the application after a six month waiting period, and

*WHEREAS*, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requested district boundary change to RU-5A (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requests to permit an office-building setback 24'6" from the front (south) property line (Item #2), to permit the office-building setback 13'5" from the interior side (west) property line and setback 13'8" from the interior side (east) property line (Item #3), to permit two one-way drives; each 10' wide (Item #4), to permit a minimum 1' wide landscape buffer between dissimilar land uses along portions of the east and west property lines (Item #5), and to waive the zoning regulations requiring Coral Way (S.W. 24<sup>th</sup> Street) to be 100' in width; to permit 35' of dedication for the north ½ of Coral Way (Item #6) would not meet the standards of the alternative site development option zoning regulation, and would not promote the objectives of creative urban design, infill development and redevelopment and/or preservation and enhancement of property values, and would contravene the public interest standards enumerated in such regulation, with the result that the public interest would not be served by the underlying zoning district regulations and that the CDMP would not be commensurately served, and would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and

*WHEREAS*, a motion to grant a waiver of the refiling period on modified basis to re-file the application after a six month waiting period, deny the appeal without prejudice, sustain the decision of Community Zoning Appeals Board 10, and deny Items #1 through 6 without prejudice was offered by Commissioner Rebecca Sosa, seconded by Commissioner Barbara J. Jordan, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	absent	Dennis C. Moss	absent
Jose "Pepe" Diaz	absent	Dorrin D. Rolle	aye
Audrey M. Edmonson	aye	Natacha Seijas	aye
Carlos A. Gimmenez	aye	Katy Sorenson	aye
Sally A. Heyman	absent	Rebecca Sosa	aye
Barbara J. Jordan	aye	Sen. Javier D. Souto	absent

Chairperson Joe A. Martinez                      aye

*NOW THEREFORE BE IT RESOLVED* by the Board of County Commissioners, Miami-Dade County, Florida, that the request to waive the re-filing period be and the same is hereby granted on a modified basis to re-file the application after a six month waiting period, and that the modified waiver of the refiling period is hereby waived.

*NOW THEREFORE BE IT RESOLVED* by the Board of County Commissioners, Miami-Dade County, Florida, that the appeal be and the same is hereby denied without prejudice and the decision of Community Zoning Appeals Board 10 is sustained.

*BE IT FURTHER RESOLVED* that the requested district boundary change to RU-5A (Item #1) be and the same is hereby denied without prejudice.

*BE IT FURTHER RESOLVED* that the requests to permit an office-building setback 24'6" from the front (south) property line (Item #2), to permit the office-building setback 13'5" from the interior side (west) property line and setback 13'8" from the interior side (east) property line (Item #3), to permit two one-way drives; each 10' wide (Item #4), to permit a minimum 1' wide landscape buffer between dissimilar land uses along portions of the east and west property lines (Item #5), and to waive the zoning regulations requiring Coral Way (S.W. 24<sup>th</sup> Street) to be 100' in width; to permit 35' of dedication for the north ½ of Coral Way (Item #6) be and the same are hereby denied without prejudice.


*BE IT FURTHER RESOLVED* that Resolution No. CZAB10-48-06 remains in full force and effect/ is hereby null and void.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

***THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED*** this 7<sup>th</sup> day of December, 2006, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 06-9CZ10-4  
ej

HARVEY RUVIN, Clerk  
Board of County Commissioners  
Miami-Dade County, Florida

By   
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF  
COUNTY COMMISSIONERS ON THE 11<sup>TH</sup> DAY OF DECEMBER, 2006.

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-41-06 adopted by said Board of County Commissioners at its meeting held on the 7<sup>th</sup> day of December, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 11<sup>th</sup> day of December, 2006.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Planning and Zoning

**SEAL**





**Department of Planning and Zoning**

Stephen P. Clark Center  
111 NW 1st Street • Suite 1210  
Miami, Florida 33128-1902  
T 305-375-2800

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Homeless Trust  
Housing Agency  
Housing Finance Authority  
Human Services  
Independent Review Panel  
International Trade Consortium  
Juvenile Assessment Center  
Medical Examiner  
Metro-Miami Action Plan  
Metropolitan Planning Organization  
Park and Recreation  
**Planning and Zoning**  
Police  
Procurement Management  
Property Appraiser  
Public Library System  
Public Works  
Safe Neighborhood Parks  
Seaport  
Solid Waste Management  
Strategic Business Management  
Team Metro  
Transit  
Task Force on Urban Economic Revitalization  
Vizcaya Museum And Gardens  
Water & Sewer

December 12, 2006

Norma Strydio and Noeli Sanchez  
c/o Anthony Recio  
2665 South Bayshore Drive, Suite 420  
Miami, Florida 33133

Re: Hearing No. 06-9CZ10-4  
Location: 6435 S.W. 24 Street (Coral Way),  
Miami-Dade County, Florida

Dear Applicant:

Enclosed herewith is a corrected copy of Resolution No. Z-41-06, which was adopted by the Board of County Commissioners on December 7, 2006. The correction was done to clarify the approval of the waiver of refilling period.

Please discard the original and replace with the attached, as the resolution has been revised to reflect the above-mentioned correction.

Sincerely,

Earl Jones  
Deputy Clerk

Enclosure





**Department of Planning and Zoning**

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Consumer Services  
Corrections & Rehabilitation  
Cultural Affairs  
Elections  
Emergency Management  
Employee Relations  
Empowerment Trust  
Enterprise Technology Services  
Environmental Resources Management  
Fair Employment Practices  
Finance  
Fire Rescue  
General Services Administration  
Historic Preservation  
Homeless Trust  
Housing Agency  
Housing Finance Authority  
Human Services  
Independent Review Panel  
International Trade Consortium  
Juvenile Services  
Medical Examiner  
Metro-Miami Action Plan  
Metropolitan Planning Organization  
Park and Recreation  
**Planning and Zoning**  
Police  
Procurement Management  
Property Appraisal  
Public Library System  
Public Works  
Safe Neighborhood Parks  
Seaport  
Solid Waste Management  
Strategic Business Management  
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December 12, 2006

Norma Strydio and Noeli Sanchez  
c/o Anthony Recio  
2665 South Bayshore Drive, Suite 420  
Miami, Florida 33133

Re: Hearing No. 06-9CZ10-4  
Location: 6435 S.W. 24 Street (Coral Way),  
Miami-Dade County, Florida

Dear Applicant:

Enclosed herewith is Resolution No. Z-41-06, adopted by the Board of County Commissioners, which denied your appeal without prejudice, sustained the decision of CZAB 10, and denied your application without prejudice.

Be advised that the decision of the Board may be appealed to Circuit Court within 30 days of the date of the transmittal of the resolution to the Clerk of the County Commission. The date of transmittal is **December 11, 2006**.

Copies of any court filings concerning this matter should be served upon both my office and:

Murray A. Greenberg, County Attorney  
111 N.W. 1st Street, Suite 2810  
Miami, Florida 33128-1993

The County Attorney is not permitted to accept official service of process.

Sincerely,

Earl Jones  
Deputy Clerk

Enclosure

*Handwritten note:* Enclosure 10-12-06